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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/477,405	01/04/2000	TATSUYA FUJIKI	1442.1007	9196

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EXAMINER

LEA EDMONDS, LISA S

ART UNIT PAPER NUMBER

2835

DATE MAILED: 10/01/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/477,405

Applicant(s)

FUJIKI ET AL.

Examiner

Lisa Lea-Edmonds

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 January 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "56" has been used to designate both the operation part and the control part. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2),

and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claim 10 is rejected under 35 U.S.C. 102(b) as being anticipated by Yanagisawa et al.. With respect to claim 10, Yanagisawa et al. teaches a function expanding device (300) comprising a first connection (312a, 312b, 324, 325, 326) being connectable to a unit which expands a function of electronic hardware (100); a second connection part (321) being connectable to the electronic hardware; an operation part for the unit; and a display part (351) as claimed. Also, Yanagisawa et al. teaches a port replicator (200) having a third connection part (222) being connectable to the second connection part of the function expanding device; and a fourth connection part (221) being connectable to the electronic hardware (100) as claimed (see for example figures 1-15 and column 4 line 27 through

column 16 line 4). With respect to the control part as claimed, the apparatus of Yanagisawa et al. is silent on the matters. However, the control part is inherent to a computer system comprising a drive unit having at least one control part such as a play, a on/off, a stop, an eject, and/or open/close key etc..

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-4, 6-9, and 11-13 are rejected under 35 U.S.C. 103(a) as obvious over Agata et al. in view of Lee et al.. With respect to claims 1-4, 6-9, and 11-13, Agata et al. teaches a function expanding device comprising a first connection (412, 432) being connectable to a unit (130, 450, 460, 470) which expands a function of electronic hardware (100); a second connection part (414, 420) being connectable to the electronic

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hardware; a cable (410, 430); a display part (120); a third connection part (534) as claimed (see for example figures 1-6 and column 1 line 13 through column 8 line 48). With respect to the operation part and the control part as claimed; the apparatus of Agata et al. is silent on these matters.

However, the apparatus of Lee et al. is relied upon for it's teaches of a function expanding device (8, 9) comprising an operation part and the control part as claimed. It would have been obvious to one of ordinary skill in the art to select a function expanding device, such as that of Lee et al., to incorporate into the apparatus of Agata et al. as it is well known in the art for a drive unit of any kind to have at least one control part such as a play, a on/off, a stop, an eject, and/or open/close key. It is also well know in the art for a computer system and/or a drive unit to have circuitry inherent to the system used for operating the drive unit such as a processor and data bus lines.

6. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Agata et al. in view of Lee et al. as applied to the claims above, and further in view of Belt et al.. With respect to claim 5, Agata et al. in view of Lee et al., teaches the claimed invention as set forth in claim 1, however, Agata et al. in view of Lee et al. lacks a teaching of a port replicator as

claimed. Belt et al. is relied upon for its teaching of a port replicator (12) as claimed. It would have been obvious to one of ordinary skill in the art for the second connection part of the function expanding device of Agata et al. in view of Lee et al. to be **connectable** to the port replicator of Belt et al. to aid in connecting multiple external devices simultaneously.

Response to Arguments

7. Applicant's arguments with respect to claims 1-9, and 11-13 have been considered but are moot in view of the new ground(s) of rejection.

8. Applicant's arguments filed 07/11/02 have been fully considered but they are not persuasive. With respect to claims 1-13, it is noted that applicant uses the term "**connectable**" throughout. Connectable implies the **ability** to connect not a connection. Therefore, the examiner of record believes the apparatus of Yanagisawa et al. teaches such "connectable" connector parts as claimed (see the above 102 rejection).

9. The examiner of record has withdrawn the objection to figure 9, as applicant does not intend figure 9 to illustrate what is prior art (see section II on page 3 of applicant's amendment dated 7/11/02).

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Lea-Edmonds whose telephone number is 703-305-0265. The examiner can normally be reached on 6:30 am to 3:00 pm.

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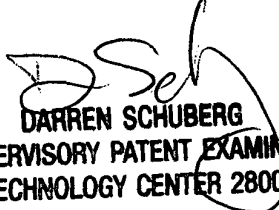
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 703-308-4815. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3431 for regular communications and 703-305-3432 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-1782.

Lisa Lea-Edmonds
Examiner
Art Unit 2835

LL-E

September 18, 2002


DARREN SCHUBERG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800